PATENT This

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 02-1058-A)

| PEJCE In the Application of:             | )                          |
|--|----------------------------|
| Giebeler et al.                          | ) Art Unit: 1743           |
| Serial No.: 10/061,416                   | ) Examiner: Lyle Alexander |
| Filed: February 1, 2002                  | Confirmation No.: 4873     |
| For: Fluid Delivery and Analysis Systems | <i>,</i><br>)              |

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. The references are also listed on the enclosed Supplemental PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

#### **United States Patents**

- 1. Akong et al., U.S. Patent No. 5,670,113, issued September 23, 1997.
- 2. Akong et al., U.S. Patent No. 6,127,133, issued October 3, 2000.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of

the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

Date: October 6, 2004

By: Reaft M. Snowout

Raafat M. Shaltout Reg. No. 45,092

McDonnell, Boehnen Hulbert & Berghoff LLP

300 South Wacker Drive Chicago, IL 60606

312 913 0001

| FORM PTO-1449<br>(Rev. 2-32)              | U.S. Department of Commerce<br>Patent and Trademark Office | Atty. Docket No. | Serial No. |
|---|--|------------------|------------|
| SUPPLEMENTAL INFORMATION STATEMENT BY APP |  | 02-1058-A        | 10/061,416 |
| OUT 1 (Use several sheets if n            |  | Applicant:       |            |
| WENT & IV                                 |  | Giebeler et al.  |            |
|   |  | Filing Date:     | Group:     |
|   |  | February 1, 2002 | 1743       |

#### **U.S. PATENT DOCUMENTS**

| Examiner<br>Initial                   |    | Document Number | Date           | Name         | Class | Subclass | Filing<br>Date if<br>Appropriate |
|---------------------------------------|----|-----------------|----------------|--------------|-------|----------|----------------------------------|
| · · · · · · · · · · · · · · · · · · · | 1. | 5,670,113       | Sept. 23, 1997 | Akong et al. |       |          |                                  |
|                                       | 2. | 6,127,133       | Oct. 3, 2000   | Akong et al. |       |          |                                  |
|                                       | 3. |                 |                |              |       |          |                                  |
|                                       | 4. |                 |                |              |       |          |                                  |
|                                       | 5. |                 |                |              |       |          |                                  |
|                                       | 6. |                 |                |              |       |          |                                  |
|                                       | 7. |                 |                |              |       |          |                                  |
|                                       | 8. |                 |                |              |       |          |                                  |
|                                       | 9. |                 |                |              | · ·   |          |                                  |

## **FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initial | Document Number | Date | Country | Class | Subclass | Trans<br>Yes | slation<br>No |
|---------------------|-----------------|------|---------|-------|----------|--------------|---------------|
|                     |                 |      |         |       |          |              |               |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

| EXAMINER |  | DATE CONSIDERED |
|----------|--|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.





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|--------------|-------------------------------|--------|--------------------------|
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|              |                               | )      |                          |
| For: Fluid   | Delivery and Analysis Systems | )      |                          |
|              |                               |        |                          |

#### TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

- 1. We are transmitting herewith the attached:
  - a) Supplemental Information Disclosure Statement (2 sheets);
  - b) Supplemental Form PTO 1449 (1 sheet); and
  - c) Return Receipt Postcard.
- 2. With respect to fees:
  - a) No fee is due.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
- 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 6, 2004.

Respectfully submitted,

Dated: October 6, 2004

Raafat M. Shaltout Registration No. 45,092

+ M. Shawent